

Tentative Rulings for June 20, 2013

Department 2G

**To request oral argument, you must notify Barbara Berg at
(760) 904-5722 and inform all other counsel no later than 4:00 p.m.**

1.

INC 088737	Schwenn v. County of Riverside	Motion for Re-hearing of Motion to Compel Further Responses Deemed Moot After Defendants' Demurrer to Fourth Amended Complaint Sustained Without Leave to Amend by Plaintiff Mary Bernadette Schwenn
---------------	-----------------------------------	---

Tentative Ruling: Deny without prejudice to a proper motion based on the current state of the pleadings, e.g., the only remaining cause of action is for trespass and the discovery must relate to that cause of action only.

2.

INC 088737	Schwenn v. County of Riverside	Motion to Strike Defendants' Answer to Plaintiff's Fourth Amended Complaint by Plaintiff Mary Bernadette Schwenn
---------------	-----------------------------------	--

Tentative Ruling: Deny as untimely; motion to strike was not filed within 10 days of the filing and service of the answer as required by California Code of Civil Procedure section 430.40(b).

3.

INC 10002737	Gross v. Gross	Hearing Re: Further Proceedings Re: Court Trial in Progress
-----------------	----------------	--

Tentative Ruling: No appearances will be permitted; hearing is only to confirm receipt of post-trial briefs.

4.

INC 1203810	Pabco Clay Products, LLC v. McGuire and Hesier/Terracon Pipelines, Inc.	Motion for Order Permitting Filing of Cross-complaint in Interpleader by Defendant Coachella Valley Water District
----------------	---	---

Tentative Ruling: Grant; cross-complaint shall be filed and funds interpled within 20 days of notice of order granting motion.

5.

INC 1300452	The Pepper Group Nevada, LLC v. The City of Desert Hot Springs	Motion for Order Vacating and Setting Aside Default by The City of Desert Hot Springs
----------------	--	---

Tentative Ruling: Grant; defendant's failure to respond was the result of excusable neglect.

6.

INC 1301359	PGA West Residential Association, Inc. v. Mork	Demurrer to Complaint by Hovlan International, Ltd., California Trustee Services, Inc., Kimberly Peterson
----------------	---	---

Tentative Ruling: Overrule. This is an action to determine priorities in liens against the property for which the statute of limitations has not expired. Furthermore, a sale of the property under the deed of trust will trigger a fraudulent transfer action with a new statute of limitations.